Drinking Water Supply Protection
Info Session Q & A

1. Question: In section 6A in the application, it asks for distance from a property to a reservoir. Is that a straight-line distance or the distance from the most affected or protected public water supply point?

    Answer: It is the distance from the property line to the closest wellhead or reservoir.

2. Question: Does a land acquisition have to occur after contracting with EEA for it to be eligible for funding?

    Answer: Costs incurred prior to an executed contract are not reimbursable (BID page 6).

3. Question: Does the BRP WS-26 permit need to happen prior to submitting an application?

    Answer: No, however informing MassDEP of your intent to apply can facilitate the process. A DWSP grant award constitutes preliminary MassDEP approval to acquire the property, however a BRP WS-26 hearing must occur for project close-out (BID page 2).

4. What is the difference between fee simple ownership and watershed protection interests? How does that work?

    Answer: Fee simple ownerships occur through a standard deed and watershed protection interests occur through Watershed Preservation Restrictions. WPRs are approved by the Commissioner of the Department of Conservation and Recreation. M.G.L. c. 184 §31 defines WPRs as the following:

    > "A watershed preservation restriction means a right, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land appropriate to retaining land predominantly in such condition to protect the water supply"

    No matter the acquisition type, the project agreements recorded with awarded projects provide a level of watershed protection.

5. Is there language that should be in a town meeting article to acquire the land?

    Answer: Yes, the language should appropriate the total cost of the applicant's project and put the land in accordance with M.G.L. c. 40, §39B and 41 and Article 97 (BID page 2). Sample language is available upon request to the program manager.